



Rep. Robyn Gabel

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1 AMENDMENT TO SENATE BILL 1313

2 AMENDMENT NO. _____. Amend Senate Bill 1313 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Health Benefits Exchange Law is
5 amended by changing Sections 5-5, 5-30 and 5-35 as follows:

6 (215 ILCS 122/5-5)

7 Sec. 5-5. State health benefits exchange. It is declared
8 that this State, beginning October 1, 2013, in accordance with
9 Section 1311 of the federal Patient Protection and Affordable
10 Care Act, shall establish a State health benefits exchange to
11 be known as the Illinois Health Benefits Exchange in order to
12 help individuals and small employers with no more than 100 ~~50~~
13 employees shop for, select, and enroll in qualified, affordable
14 private health plans that fit their needs at competitive
15 prices. The Exchange shall separate coverage pools for
16 individuals and small employers and shall supplement and not

1 supplant any existing private health insurance market for
2 individuals and small employers.

3 (Source: P.A. 97-142, eff. 7-14-11.)

4 (215 ILCS 122/5-30 new)

5 Sec. 5-30. Governing Board.

6 (a) There is hereby established the Illinois Health
7 Benefits Exchange Governing Board. The Board shall be
8 represented by a variety of consumers, small businesses, and
9 other stakeholders and reflect the geographic and cultural
10 diversity of our great State. The Board shall be comprised of
11 the following 15 voting members:

12 (1) two members representing small business (one from
13 the Chicagoland area and one from downstate Illinois), one
14 of whom is a person of color;

15 (2) three members representing organizations that
16 represent communities of color;

17 (3) one member representing an organization that
18 represents the disability community;

19 (4) two health professionals or representatives of
20 public health organizations;

21 (5) one organized labor representative;

22 (6) one women's organization representative;

23 (7) two consumer representatives (one from the
24 Chicagoland area and one from downstate Illinois);

25 (8) one health actuary;

1 (9) one health economist; and

2 (10) one rural-based organization representative.

3 (b) The Speaker and the Minority Leader of the House of
4 Representatives and the President and the Minority Leader of
5 the Senate shall each make recommendations of people for all of
6 the 15 positions set forth in subsection (a) of this Section.
7 The Governor shall choose at least 3 of the persons recommended
8 by each of the legislative leaders. The Governor shall appoint
9 3 members of the Board.

10 (215 ILCS 122/5-35 new)

11 Sec. 5-35. Financing mechanism.

12 (a) The provisions set forth in this Section establish the
13 primary source of financing for the Illinois Health Benefits
14 Exchange.

15 (b) For all deposits of securities maintained with the
16 Director of Insurance pursuant to Section 26 of the Illinois
17 Insurance Code, every company subject to the provisions of
18 Section 26 of the Illinois Insurance Code shall pay to the
19 Director, at a rate determined by the Director, a tax on that
20 company's deposit of securities.

21 (c) For purposes of enforcing the provisions of this
22 Section, the Director shall have the authority to adopt rules
23 and establish forms as may be reasonably necessary for purposes
24 of determining the allocation of Illinois corporate income
25 taxes paid under subsections (a) through (d) of Section 201 of

1 the Illinois Income Tax Act amongst members of a business group
2 that files an Illinois corporate income tax return on a unitary
3 basis. The Director shall also have authority to defer, waive,
4 or abate the tax imposed by this Section if in his or her
5 opinion the company's solvency and ability to meet its insured
6 obligations would be immediately threatened by payment of the
7 tax due.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".